



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

www.bpu.state.nj.us

**OFFICE OF CABLE
TELEVISION**

IN THE MATTER OF THE PETITION OF)
COMCAST CABLEVISION OF JERSEY CITY, INC.)
FOR ACCESS TO CERTAIN PREMISES KNOWN AS)
"NEWPORT" IN THE CITY OF JERSEY CITY)

ORDER ON MOTION TO
SETTLE THE RECORD

BPU DOCKET NO. CE01090585
OAL DOCKET NO. CTV9687-01

SERVICE LIST ATTACHED

BY THE BOARD:

This matter has been opened to the New Jersey Board of Public Utilities (Board) by the filing of a motion to settle the record under New Jersey Court Rules, R. 2:5-5(a), by Newport Associates Development Company (NADC) in the above captioned matter. This matter stems from a Final Order issued by this Board that granted Comcast Cablevision of Jersey City, Inc. access to the Newport Building Complex in Jersey City, New Jersey for the purposes of providing cable television services, subject to a number of conditions.

Following issuance of the Final Order, NADC filed a notice of appeal of the Final Order to the New Jersey Superior Court, Appellate Division. In response, and as required by R. 2:5-4(b), the Board filed a Statement of Items Comprising the Record on Review (Statement of Items). On October 31, 2003, NADC filed this motion, indicating its belief that a number of items were not included in the Statement of Items and seeking to have modifications made.

Following the filing of the motion, the parties and the Board entered into discussions as to the items requested to be added to the Statement of Items. Following these discussions, the parties and the Board have reviewed the file and agreed that the changes made in the attached Statement of Items properly reflects the nature of the record in this matter.

Accordingly, and in light of the need to provide the Appellate Division a complete accounting of the items reviewed by the Board in its deliberative process, the Board HEREBY FINDS that the attached Statement of Items reflects the nature of the record reviewed and considered by this Board prior to its issuance of the Final Order. Therefore, the Board HEREBY ORDERS that the record shall be settled as reflected in the attached Statement of Items and FURTHER ORDERS

that an Amended Statement of Items reflecting this record shall be filed with the Clerk of the Superior Court of New Jersey, Appellate Division.

DATED: January 26, 2004

BOARD OF PUBLIC UTILITIES
BY:

(signed)

JEANNE M. FOX
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

(signed)

CAROL J. MURPHY
COMMISSIONER

(signed)

CONNIE O. HUGHES
COMMISSIONER

(signed)

JACK ALTER
COMMISSIONER

ATTEST:

(signed)

KRISTI IZZO
SECRETARY

SERVICE LIST

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